

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 6:14CR63
	§	
BRIAN TIDWELL	§	

FACTUAL BASIS

Investigation by the Drug Enforcement Administration disclosed the following facts that establish that I, the defendant, **Brian Tidwell**, committed the conduct described in Count 1 of the information, which charges a violation of 21 U.S.C. § 331(c), the receipt in interstate commerce of any food, drug, device, tobacco product, or cosmetic that is adulterated or misbranded, and the delivery or proffered delivery thereof for pay or otherwise, and that I accept as true and correct:

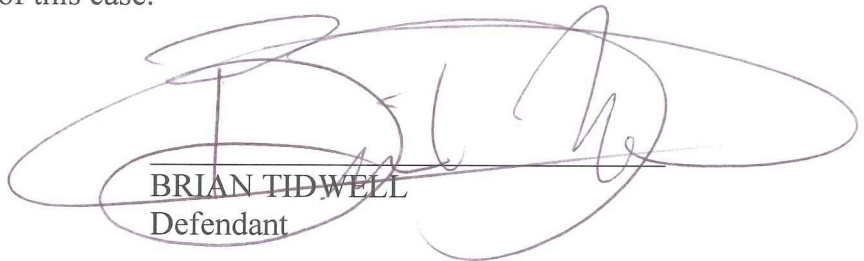
1. During 2013 and 2014, I was employed by my brother Jeremy Tidwell to work at his three Longview/Gregg County, Texas retail stores, the “Glass Dragon” stores.
2. These stores sold a variety of misbranded drugs which were packaged with false or misleading labels and which did not contain the name or place of business of the manufacturer. Aspects of the false labels included that the products were “not for human consumption,” when in fact the purpose of the products was for smoking; and that the labels fictitiously identified the products as “potpourri,” “aromatherapy,” and other similarly named products, when in fact these products were intended for smoking.
3. My duties involved communicating with manufacturers and ordering products, many of which were shipped from other states to the “Glass Dragon” stores. I thus

received in interstate commerce misbranded drugs which were then sold to customers. I deposited cash proceeds into the Tidwell Corporation bank accounts. I received compensation from the Tidwell Corporation and thus deposited proceeds derived from the sale of misbranded drugs into my bank accounts.

4. I have had an opportunity to consult with an attorney, and I am satisfied with the advice and counsel that he has provided me.

I acknowledge that I violated 21 U.S.C. § 331(c).

I hereby stipulate that the facts described above are true and correct and accept them as the uncontested facts of this case.



BRIAN TIDWELL
Defendant



CHARLES VAN CLEEF
Attorney for Defendant